IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH AT HYDERABAD.

HON'BLE SRI JUSTICE C.V. RAMULU

Writ Petition No.17809 of 1999

Dated: 23rd August 2005

Between:

Dr.M.Ashok Sah Pawar. … Petitioner

And

The Director, Indian Medicine and
Homeopathy Department, Secunderabad
… Respondent

Oral Order:

1. This writ petition is filed seeking a mandamus to declare the action of the respondent in not calling all the candidates for medical examination for the post of Medical Officer (Ayurveda) under Physically Handicapped quota as arbitrary and illegal and consequently to direct the respondents to appoint the petitioner as Medical Officer (Ayurveda).

2. The only grievance of the petitioner is that he is a physically handicapped person and no physically handicapped person is considered

for being appointed to the post of Medical Officer (Ayurveda) in pursuance of the notification issued on 29-4-1998 for filling up the posts of Medical Officer (Ayurveda).

3. A detailed counter has been filed by the respondent denying the allegations made by the petitioner and asserting that five candidates who were orthopedically handicapped have been referred to the Medical Board and the State Government also accorded permission to fill up the vacant posts of the Medical Officer/Lecturer meant for physically handicapped persons by orthopedically handicapped persons, whereas the petitioner is partially blind, therefore, he has not been considered for being appointed to the post of Medical Officer (Ayurveda) in the physically handicapped quota. Since the petitioner does not satisfy the criteria required for the purpose of considering his candidature as a physically handicapped person, the writ petition is devoid of merits and it is liable to be dismissed. The writ petition is accordingly dismissed. No order as to costs.

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(C.V. Ramulu, J)

23rd August 2005

Svs